

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SCOTT PATRICK COLLINS,

Plaintiff,

v.

7:13-CV-0412
(GTS/ATB)

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

OF COUNSEL:

CONBOY, McKAY, BACHMAN & KENDALL, LLP
Counsel for Plaintiff
307 State Street
Carthage, New York 13619

LAWRENCE D. HASSELER, ESQ.

SOCIAL SECURITY ADMINISTRATION
OFFICE OF REG'L GEN. COUNSEL – REGION II
Counsel for Defendant
26 Federal Plaza, Room 3904
New York, New York 10278

VERNON NORWOOD, ESQ.

GLENN T. SUDDABY, United States District Judge

DECISION and ORDER

Currently before the Court, in this action filed by Scott Patrick Collins (“Plaintiff”) against the Commissioner of Social Security (“Defendant” or “Commissioner”) pursuant to 42 U.S.C. §§ 405(g) and 1383(c)(3) seeking Disability Insurance Benefits (“DIB”) and Supplemental Security Income (“SSI”), are (1) the Report-Recommendation of United States Magistrate Judge Andrew T. Baxter, issued pursuant to 28 U.S.C. § 636(b)(1)(A) and (B) and Local Rule 72.3(c) of the Local Rules of Practice for this Court, recommending that the Commissioner’s decision be affirmed and the Complaint be dismissed, and (2) Plaintiff’s Objection to the Report-Recommendation. (Dkt. Nos. 15, 16.)

After carefully reviewing the relevant filings in this action, including the Objections, the Court can find no error in the Report-Recommendation: Magistrate Judge Baxter employed the proper standards, accurately recited the facts, and reasonably applied the law to those facts. (*Id.*) The Court rejects Plaintiff's arguments that the Commissioner's decision is not supported by substantial evidence, and that the ALJ committed reversible error for the reasons stated by Magistrate Judge Baxter. (*Id.*) As a result, the Report-Recommendation is accepted and adopted in its entirety for the reasons stated therein; the decision of the Commissioner is affirmed; and the Complaint is dismissed.

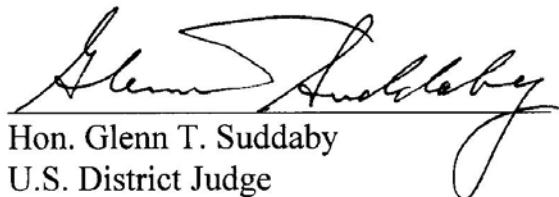
ACCORDINGLY, it is

ORDERED that Magistrate Judge Baxter's Report-Recommendation (Dkt. No. 15) is **ACCEPTED** and **ADOPTED** in its entirety; and it is further

ORDERED that the Commissioner's decision is **AFFIRMED**; and it is further

ORDERED that the Complaint (Dkt. No. 1) is **DISMISSED**.

Dated: August 20, 2014
Syracuse, New York


Hon. Glenn T. Suddaby
U.S. District Judge